



Docket No.: 053673-0021

PATENT

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 20277  
Yasushi NAKANISHI, et al. : Confirmation Number: Not yet assigned  
Application No.: 10/540,270 : Group Art Unit: 1756  
Filed: June 23, 2005 : Examiner: Not yet assigned  
:

For: POLYESTER RESIN FOR TONER, TONER FOR DEVELOPING ELECTROSTATIC CHARGE IMAGE AND METHOD FOR FORMING IMAGE

REQUEST FOR CORRECTED FILING RECEIPT

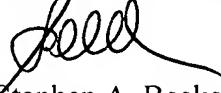
Mail Stop OFR  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a copy of the Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. It is noted that the **name and residence of the third inventor is incorrect, and the title is incorrect**. Attached is a copy of the Declaration and Power of Attorney, which evidences that the **third inventor's name is Akira Yamane, and this inventor resides in Tokyo, Japan**. Additionally, the title should read: **POLYESTER RESIN FOR TONER, TONER FOR DEVELOPING ELECTROSTATIC CHARGE IMAGE AND METHOD FOR FORMING IMAGE**. It is requested that a corrected filing receipt be issued.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

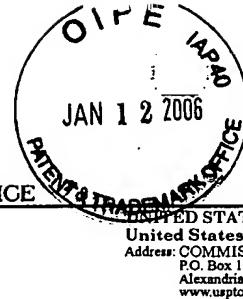
  
Stephen A. Becker  
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Date: January 12, 2006

Please recognize our Customer No. 20277  
as our correspondence address.



## UNITED STATES PATENT AND TRADEMARK OFFICE



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/540,270	06/23/2005	1756	1260	053673-0021	1	8	2

20277  
 McDERMOTT WILL & EMERY LLP  
 600 13TH STREET, N.W.  
 WASHINGTON, DC 20005-3096

**RECEIVED**  
 DEC 30 2005  
**MW&E**

CONFIRMATION NO. 1428

FILING RECEIPT



\*OC000000017718575\*

Date Mailed: 12/27/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

YASUHI NAKANISHI, Tokyo, JAPAN;  
 Hirofumi Iemura, Tokyo, JAPAN;  
 Akira ~~Tokyo~~, ~~Yoshinori~~ JAPAN;  
 Yoshinori Onose, Tokyo, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 20277.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/JP03/16064 12/16/2003

**Foreign Applications**

JAPAN 2002-374941 12/25/2002

**Projected Publication Date:** 04/06/2006

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Polyester resin for toner, for developing electrostatic charge image and method for forming image

**Preliminary Class**

430

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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PTO/SB/106 (5-00)

Approved for use through 10/31/02. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## Declaration and Power of Attorney for Patent Application

### 特許出願宣言書及び委任状

### Japanese Language Declaration

### 日本語宣言書

私は、以下に記名された発明者として、ここに下記の通り宣誓する：

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合はこの限りではない：

\_\_\_\_\_ の日に出願され、  
この出願の米国出願番号またはPCT国際出願番号は、  
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私は上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

私は、連邦規則法典第37編規則1.56に定義されている、特許性について重要な情報を開示する義務があることを認める。

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

### POLYESTER RESIN FOR TONER, TONER FOR DEVELOPING ELECTROSTATIC CHARGE IMAGE AND METHOD FOR FORMING IMAGE

the specification of which is attached hereto unless the following box is checked:

was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the need of the individual case. Any comments on the amount of time you are required to complete this form should be sent to Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

## Japanese Language Declaration

## 日本語宣誓書

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I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application for which priority is claimed.

Prior Foreign Applications  
外国での先行出願

Priority Not Claimed  
優先権主張なし

2002-374941

(Number)  
(番号)

JAPAN

(Country)  
(国名)

25 / December / 2002

(Day/Month/Year Filed)  
(出願日／月／年)(Number)  
(番号)(Country)  
(国名)(Day/Month/Year Filed)  
(出願日／月／年)

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)(Filing Date)  
(出願日)(Application No.)  
(出願番号)(Filing Date)  
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された態様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、速邦規則法典第37編規則1.56に定義された特許性に関する重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Sections 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)  
(出願番号)(Filing Date)  
(出願日)(Status: Patented, Pending, Abandoned)  
(現況:特許許可、係属中、放棄)

PCT/JP2003/016064

(Application No.)  
(出願番号)

16 / December / 2003

(Filing Date)  
(出願日)

Pending

(Status: Patented, Pending, Abandoned)  
(現況:特許許可、係属中、放棄)

私は、ここに表明された私自身の知識に係わる陳述が真実であり、且つ情報として信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生ずることを理解したうえで陳述が行われたことを、ここに宣言する。

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## Japanese Language Declaration

## 日本語宣誓書

委任状：私は本出願を審査する手続きを行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び／又は弁理士を任命する（氏名及び登録番号を記載すること）。

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

The registered practitioners of McDermott Will & Emery LLP,

## CUSTOMER NUMBER 20277

## 書類送付先

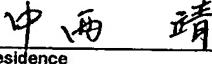
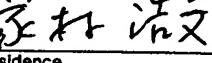
## Send Correspondence to:

McDermott Will & Emery LLP  
600 13th Street, N.W.  
Washington, D. C. 20005-3096

## 直通電話連絡先：（氏名及び電話番号）

## Direct Telephone Calls to: (name and telephone number)

Stephen A. Becker  
(202) 756-8608

唯一または第一発明者氏名	Full name of sole or first inventor <b>NAKANISHI, Yasushi</b>	
発明者の署名	日付	Inventor's signature  Date <i>中西 靖 March. 17. 2005</i>
住所	Residence <b>Tokyo JAPAN</b>	
国籍	Citizenship <b>JAPAN</b>	
郵便の宛先	Post Office Address <b>c/o TOYO INK MANUFACTURING CO., LTD., 3-13, Kyobashi 2-chome, Chuo-ku, Tokyo 104-8377 JAPAN</b>	
第二共同発明者がいる場合、その氏名	Full name of second joint inventor, if any <b>IEMURA, Hirofumi</b>	
第二共同発明者の署名	日付	Second Inventor's signature  Date <i>伊村 博文 March. 18. 2005</i>
住所	Residence <b>Tokyo JAPAN</b>	
国籍	Citizenship <b>JAPAN</b>	
郵便の宛先	Post Office Address <b>c/o TOYO INK MANUFACTURING CO., LTD., 3-13, Kyobashi 2-chome, Chuo-ku, Tokyo 104-8377 JAPAN</b>	
(第三以下の共同発明者についても同様に記載し、署名をすること)		(Supply similar information and signature for third and subsequent joint inventors)

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## Japanese Language Declaration

## 日本語宣誓書

第三の共同発明者の氏名 (該当する場合)	Full name of Third Joint Inventor <b>YAMANE, Akira</b>	
同第三共同発明者の署名	日付	Third Inventor's signature
		<b>山根 晃</b>
住所	Residence <b>Tokyo JAPAN</b>	
国籍	Citizenship <b>JAPAN</b>	
郵便の宛先	Post Office Address <b>c/o JAPAN U-PICA COMPANY, LTD., 1-1, Uchisaiwaicho 2-chome, Chiyoda-ku, Tokyo 100-0011 JAPAN</b>	

第四の共同発明者の氏名 (該当する場合)	Full name of Fourth Joint Inventor <b>ONOSE, Yoshinori</b>	
同第四発明者の署名	日付	Fourth inventor's signature
		<b>小野瀬 茂則</b>
住所	Residence <b>Tokyo JAPAN</b>	
国籍	Citizenship <b>JAPAN</b>	
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第五の共同発明者の氏名 (該当する場合)	Full name of Fifth Joint Inventor	
同第五発明者の署名	日付	Fifth Inventor's signature
住所	Residence	
国籍	Citizenship	
郵便の宛先	Post Office Address	

第六の共同発明者の氏名 (該当する場合)	Full name of Sixth Joint Inventor	
同第六発明者の署名	日付	Sixth Inventor's signature
住所	Residence	
国籍	Citizenship	
郵便の宛先	Post Office Address	